

DAFTAR PUSTAKA

Buku

- Alvarez, José E., dan Kathryn Khamsi, “The Argentine Crisis and Foreign Investors: A Glimpse into the Heart of the Investment Regime” dalam *The Yearbook on International Investment Law and Policy 2008/2009*. Oxford University Press, New York.
- Balassa, Bela, 1969, *The Theory of Economic Integration*, London: George Allen & Unwin.
- Calamita, Nicolas, dan Charalampos Giannakopoulos, “The move towards investor-state dispute settlement reform: an overview of options for ASEAN Member States” dalam *ASEAN and the Reform of Investor-State Dispute Settlement*, Edward Elgar Publishing, Cheltenham.
- Dolzer, Rudolf, dan Christoph Schreuer, 2008, *Principles of International Investment Law*, Oxford University Press, New York.
- Jetin, Bruno, dan Julien Chasse, “International Investment Policy for Small States: The Case of Brunei” dalam *International Investment Treaties and Arbitration Across Asia*, Brill Editors, Leiden dan Boston.
- Jones, David M., dan Sarah Choong Ee Mei, “ASEAN’s Economic Community: ASEAN Way or Beijing’s Way?” dalam *Southeast Asia and the ASEAN Economic Community*. Palgrave Macmillan, Cham.
- Kriebaum, Ursula, “Privatizing Human Rights: The Interface between International Investment Protection and Human Rights” dalam *The Law of International Relations: Liber Amicorum HansPeter Neuhold*, Eleven International Publishing, Den Haag.
- Lynch, David A., 2010, *Trade and Globalization: An Introduction to Regional Trade Agreements*, Rowman & Littlefield Publishers, Plymouth.
- Melchior, Arne, 2018, *Free Trade Agreements and Globalisation: In the Shadow of Brexit and Trump*, Palgrave Macmillan, London.
- Mohan, Mahdev, “Asian Perspectives on Investment Agreements and Arbitration: An Evolving Marcottage” dalam *Yearbook on International Investment Law and Policy 2014-2015*, Oxford University Press, New York.
- Mohan, Mahdev, dan Alexis Ang, “Singapore’s Approach to ISDS Reform: ‘A Shift in Geography’ in Investment Law?” dalam *Foreign Investment and Investment Arbitration in Asia*, Cambridge University Press, Cambridge.

- Muhaimin, 2020, *Metode Penelitian Hukum*, Mataram University Press, Mataram.
- Sekretariat ASEAN, 2021, *ASEAN Investment Report 2020-2021: Investing in Industry 4.0*, ASEAN, Jakarta.
- Sheffrin, Steven M., dan Arthur O' Sullivan, 2007, *Economics: Principles in Action*, Boston: Pearson Education.
- UNCTAD, 2014, *Investor-State Dispute Settlement: UNCTAD Series on Issues in International Investment Agreements II*, United Nations, New York & Jenewa.
- United Nations, 2007, *Investor-State Dispute Settlement and Impact on Investment Rulemaking*, United Nations, New York & Jenewa.
- Weeramantry, Romesh, dan Mahdev Mohan, "Chapter 12: International Investment Arbitration in Laos: Larger Issues for Small State" dalam *International Investment Treaties and Arbitration Across Asia*, Brill, Leiden.

Artikel Jurnal

- Alschner, Wolfgang, "Americanization of the BIT Universe: The Influence of Friendship, Commerce and Navigation (FCN) Treaties on Modern Investment Treaty Law", *Goettingen Journal of International Law*, Vol. 5, No. 2, 2013.
- Athukorala, Prema-chandra, "Free Trade Agreements in the World Trade System: Substance and Semantics", *Foreign Trade Review*, Vol. 55, No. 2, 2019.
- Bramantyo, Tito, "The Indonesian Government's Participation in International Investment Law and Its Reform", *Indonesian Journal of International Law*, Vol. 19, No. 1, 2021.
- Bernardini, Piero, "Reforming Investor-State Dispute Settlement: The Need to Balance Both Parties' Interests", *ICSID Review – Foreign Investment Law Journal*, Vol. 32, No. 1, 2017.
- Desierto, Diane A., "ASEAN Investment Treaties, RCEP, and CPTPP: Regional Strategies, Norms, Institutions, and Politics", *Washington International Law Journal*, Vol. 27, No. 2, 2018.
- Franck, Susan D., "Foreign Direct Investment, Investment Treaty Arbitration and the Rule of Law", *McGeorge Global Business and Development Law Journal*, Vol. 19, 2007.
- Harten, Gus V., "The European Union's Emerging Approach to ISDS: Review of the Canada-Europe CETA, Europe-Singapore FTA, and European-Vietnam FTA", *University of Bologna Law Review*, Vol. 1, No. 1, 2016.

- Hsieh, Pasha L., “*Shaping New Interregionalism: The EU-Singapore Free Trade Agreement and Beyond*”, *Leiden Journal of International Law*, Vol. 35, No. 1, 2022.
- Jaime, Margie-Lys, “*Relying upon Parties' Interpretation in Treaty-Based Investor-State Dispute Settlement: Filling the Gaps in International Investment Agreements*”, *Georgetown Journal of International Law*, Vol. 46, No. 1, 2014.
- Jasoh, Sufian, *et al.*, “*Malaysia and Investor-State Dispute Settlement: Learning from Experience*”, *Journal of Investment and Trade*, Vol. 18, No. 5, 2017.
- Kaneko, Yuka, dan Ye Naing Lin, “*Issues in Myanmar Investment Law: Toward Better Policy Balancing*”, *Journal of International Cooperation Studies*, Vol. 24, No. 1, 2016.
- Kerner, Andrew, *et al.*, “*Do Investor-State Disputes (Still) Harm FDI?*”, *British Journal of Political Science*, Vol. 52, No. 2, 2022.
- Laird, Ian A., “*TPP and ISDS: The Challenge from Europe and the Proposed TTIP Investment Court*”, *Canada-United States Law Journal*, Vol. 40, No. 11, 2016.
- Nottage, Luke, dan Sakda Thanitcul, “*International Investment Arbitration in Thailand: Limiting Contract-Based Claims While Maintaining Treaty-Based ISDS*”, *The Journal of World Investment and Trade*, Vol. 18, No. 5, 2017.
- Price, David, “*Indonesia’s Bold Strategy on Bilateral Investment Treaties: Seeking an Equitable Climate for Investment?*”, *Asian Journal of International Law*, Vol. 7, No. 1, 2017.
- Riley, John, “*A Multilateral Approach to Investor-State Dispute Settlement Dispute in the Asia-Pacific Region*”, *Journal of East Asia and International Law*, Vol. 14, No. 1. 2021.
- Rolland, Sonia E., “*The Return of State Remedies in Investor-State Dispute Settlement: Trends in Developing Countries*”, *Loyola University Chicago School of Law Journal*, Vol. 49, No. 2, 2020.
- Samples, Tim R., “*Winning and Losing in Investor–State Dispute Settlement*”, *American Business Law Journal*, Vol. 56, No. 1, 2019.
- Sembiring, Laura N., “*Urgensi Perjanjian Investasi Bilateral antara Indonesia dan Negara Lain dengan Klausula Penyelesaian Sengketa Investor-State Dispute Settlement*”, *Jurnal Program magister Hukum FH UI*, Vol. 1, No. 4, 2022.

- Sihata, Ibrahim F. I., “*Towards a Greater Depoliticization of Investment Disputes: The Roles of ICSID and MIGA*”, *ICSID Review - Foreign Investment Law Journal*, Vol. 1, No. 1, 1986.
- Sjarif, Naila, dan Rizki Karim, “*Deciphering the Dystrophic Riddle of Trans-Pacific Partnership Agreement’s ISDS: Is It Really Worth Joining, Indonesia?*”, *Juris Gentium Law Review*, Vol. 4, No. 1, 2016.
- Spencer, Karr, “*A Battle for Choice: Selecting Investor-State Arbitrators Under the RCEP*”, *Temple Law Review*, Vol. 90, 2017.
- Teehanke, Manuel A. J., “*The Philippines’ Readiness for the TPP: Focus on Investor-State Dispute Settlement*”, *Philippine Journal of Development*, Vol. 43, No. 2, 2018.
- Turksen, Umut, dan Quang Chau, “*To Sign or not to Sign? A Conundrum of Vietnam’s Accession to the ICSID*”, *Coventry Law Journal*, Vol. 24, No. 1, 2019.
- Vandevalde, Kenneth J., “*A Brief History of International Investment Agreements*”, *U. C. Davis Journal of International Law & Policy*, Vol. 12, No. 1, 2005.
- Vicuña, Francisco O., “*Of Contracts and Treaties in the Global Market*”, *Max Planck Yearbook of United Nations Law Online*, Vol. 8, No. 1, 2004.
- Weeramantry, Romesh, “*International Investment Law and Practice in the Kingdom of Cambodia: An Evolving ‘Rule Taker’?*”, *The Journal of World of Investment and Trade*, Vol. 18, No. 5., 2017.
- Yeo, Alvin, dan Smitha Menon, “*Indonesia—Arbitrating with Foreign Parties: A Closer Look at Indonesia’s Approach to Investor-State Dispute Settlement*”, *Asian Dispute Review*, Vol. 18, No. 3, 2016.

Hasil Penelitian

- Ariawan, 2012, *Perjanjian Perdagangan Bebas dalam Era Liberalisasi Perdagangan: Studi Mengenai ASEAN-China Free Trade Agreement (ACFTA)*, Disertasi, Program Pascasarjana Fakultas Hukum Universitas Indonesia, Depok.
- Arina, Clarissa N., 2021, *Implikasi Pengakhiran Bilateral Investment Treaty (BITs) dan Wacana Counter-Claim pada Posisi Indonesia dalam Sengketa Investasi pada Forum Arbitrase ICSID*, Tesis, Program Magister Ilmu Hukum Universitas Gadjah Mada, Yogyakarta.
- Hanif, Ibrahim, 2015, *Letting BITs Lapse, Certain Consequences to Investor State Dispute Settlement*, Skripsi, Program Sarjana Fakultas Hukum Universitas Gadjah Mada, Yogyakarta.

- Kodri, Muhammad F., 2018, *Peniadaan Mekanisme Investor-State Dispute Settlement (ISDS) dalam Perjanjian Perdagangan Australia dan Jepang Tahun 2014*, Skripsi, Program Sarjana Sosial Universitas Islam Negeri Syarif Hidayatullah Jakarta, Jakarta.
- Ramadhani, Hilman, 2017, *Tinjauan Yuridis Eksistensi Instrument Investor-State Dispute Settlement (ISDS) dalam Perjanjian Investasi Internasional (PII)*, Skripsi, Program Sarjana Ilmu Hukum Universitas Brawijaya dan Sarjana Hukum Islam Universitas Islam Negeri Maulana Malik Ibrahim Malang, Malang.
- Wijayanti, Ida A. F., 2022, *Analisis Perbandingan Hukum Penyelesaian Sengketa Investor State Dispute Settlement (ISDS) Melalui Lembaga Arbitrase International Centre for Settlement of Investment Dispute (ICSID) dan ASEAN Comprehensive Investment Agreement (ACIA)*, Tesis, Program Magister Ilmu Hukum Universitas Gadjah Mada, Yogyakarta.

Peraturan Perundang-undangan dan Perjanjian Internasional

Bilateral Investment Treaty Germany-Pakistan 1959.

Convention on the Settlement of Investment Disputes between States and Nationals of Other States 1965.

Undang-undang Negeri Republik Indonesia Nomor 25 Tahun 2007 tentang Penanaman Modal

Vienna Convention on the Law of Treaties 1969.

Putusan Pengadilan

Putusan Majelis Arbitrase ICSID No. ARB/12/14 dan 12/40

Internet

ASEAN Secretariat, “ASEAN Hits Historic Milestone with Signing of RCEP”, <https://asean.org/asean-hits-historic-milestone-signing-rcep/>, diakses 15 Februari 2023.

Biro Hubungan Ekonomi dan Bisnis Departemen Luar Negeri Amerika Serikat, “2022 Investment Climate Statements: Indonesia”,

<https://www.state.gov/reports/2022-investment-climate-statements/indonesia/>, diakses 15 April 2023.

Biro Hubungan Ekonomi dan Bisnis Departemen Luar Negeri Amerika Serikat, “2022 Investment Climate Statements: Singapore”, <https://www.state.gov/reports/2020-investment-climate-statements/singapore/>, diakses 15 April 2023.

ICSID, “Concluded cases”, <https://icsid.worldbank.org/cases/concluded>, diakses 24 Februari 2023.

ICSID, “ICSID Releases 2022 Caseload Statistics”, <https://icsid.worldbank.org/news-and-events/communiques/icsid-releases-2022-caseload-statistics>, diakses 1 Juni 2023.

Kementerian Perdagangan Republik Indonesia, “Sekilas tentang FTA”, <https://ftacenter.kemendag.go.id/sekilas-tentang-fta>, diakses 15 Februari 2023.

Medina, Ayman F., “Indonesia’s Breakthrough Year for Foreign Investment in 2022”, <https://www.aseanbriefing.com/news/indonesias-breakthrough-year-for-foreign-investment-in-2022/>, diakses 15 April 2023.

UNCTAD, “Investment Dispute Settlement Navigator”, <https://investmentpolicy.unctad.org/investment-dispute-settlement>, diakses 15 Februari 2023.

UNCTAD, “2022 Investment Dispute Settlement Navigator: Indonesia”, <https://investmentpolicy.unctad.org/investment-dispute-settlement/country/97/indonesia/respondent>, diakses 15 April 2023.

World Bank, “Foreign direct investment, net inflows”, <https://data.worldbank.org/indicator/BX.KLT.DINV.CD.WD>, diakses 17 Februari 2023.

Lain-lain

Baldwin, Richard E., *et al.*, “Two Waves of Globalisation: Superficial Similarities, Fundamental Differences”, National Bureau of Economic Research Working Paper 6904, 1999.

Bonnitcha, Jonathan, “Investment Laws of ASEAN Countries: A comparative review”, International Institute for Sustainable Development Report, 2017.

Calamita, Jansen, dan Charalampos Giannakopoulos, “ASEAN and the Reform of Investor-State Dispute Settlement: Global Challenges and Regional

Options”, YouTube, <https://www.youtube.com/watch?v=-0nDNbaj6tI&t=198s>, 2022.

Gao, Henry S., “*The Investment Chapter in the Regional Comprehensive Economic Partnership: Enhanced Rules without Enforcement Mechanism*”, ERIA Discussion Paper Series 446, 2022.

Gaukrodger, David, dan Kathryn Gordon, “*Investor-State Dispute Settlement: A Scoping Paper for the Investment Policy Community*”, OECD Working Papers on International Investment 2012/03, 2012.

Nottage, Luke, “*The Investment Chapter and ISDS in the TPP: Lessons from Southeast Asia*”, ISEAS Economics Working Paper No. 2017-2, 2017.

Nottage, Luke R., dan Sakda Thanitcul, “*International Investment Arbitration in Southeast Asia: Guest Editorial*”, Sydney Law School Research Paper No. 16/95, 2016.

Kang, Jong W., *et al.*, “*Regional Comprehensive Economic Partnership: Overview and Impact*”, ADB Briefs No. 164, 2020.